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Attorney for Defendant,
FEDERICO CASTELLANOS MENDEZ

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

THE UNITED STATES OF AMERICA,

Plaintiff,

vs.

FEDERICO CASTELLANOS MENDEZ,

Defendant.

Case No. CR. F-01-5256 AWI

STIPULATION TO CONTINUE

MOTIONS HEARING AND ORDER

THEREON

DATE: December 18, 2006

TIME: 9:00 a.m.

COURTROOM: 03

HONORABLE Anthony W. Ishii

IT IS HEREBY STIPULATED by and between the parties hereto and through their respective counsel, that the Status Conference hearing currently set for December 18, 2006, may be continued to February 19, 2007. This request is being made due to the fact that defense counsel has just been subpoenaed to appear in the Kern County on December 18, 2006 at 8:30 a.m. in the Kern County Superior Court, Metropolitan Division. The case is regarding People v. Jose Alvarez Rodriguez, Jr., Case No. BM699358A. The Trial is expected to last at least (5) five days. I would note that defense counsel was just subpoenaed on December 12, 2006 to appear.

1 Also, defense counsel has conflicts in his calendar and has numerous appearances in the Tulare
2 County Superior Court, Porterville Division, Tulare County Superior Court, Visalia Division and the Tulare
3 County Superior Court, Tulare-Pixley Division. Also, additional time is needed to discuss the resolution of
4 this matter as defense counsel and U.S. Assistant Attorney Laurel J. Montoya have been unable to do so due
5 to their conflicting schedules.

6 The parties agree that the delay resulting from the continuance shall be excluded in the interests of
7 justice, including but not limited to, the need for the period of time set forth herein for effective defense
8 preparation and continuity of counsel pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(I).

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10 Date: December 14, 2006

McGREGOR W. SCOTT
United States Attorney

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13 /s/ Laurel J. Montoya

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15 LAUREL J. MONTOYA
Assistant U.S. Attorney

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18 Date: December 14, 2006

/s/ David F. Candelaria

19 DAVID F. CANDELARIA
20 Attorney for Defendant

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ORDER CONTINUING HEARING DATE

IT IS SO ORDERED. The Status Conference is continued to February 19, 2007 at 9:00 a.m. Time is excluded in the interests of justice pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(I).

IT IS SO ORDERED.

Dated: December 15, 2006
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/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE